

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT  
APPLICATIONIn re PATENT APPLICATIONInventor(s): KOIZUMI et al.Appln No.: 08/147,433series code 1 serial no. 13

Filed: November 5, 1993

Title: SOFT VINYL CHLORIDE RESIN COMPOSITION  
AND MOLDED ARTICLE MADE OF THE SAMEHon. Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

RESPONSE/AMENDMENT/LETTER

This is a response/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated herein by reference and the signature below is to be treated as the signature to the attachment in absence of a signature thereto.

FEE REQUIREMENTS FOR CLAIMS AS AMENDED

1. "Small Entity" statement(s) filed	Claims remaining after amendment	Highest number previously paid for	Present Extra	Additional Fee		Fee Code
[ ] previously						
[ ] herewith(____(No.))						
2. Total Effective Claims	* <u>8</u>	minus ** <u>26</u>	= <u>0</u>	X <u>\$22/\$11</u>	= <u>\$ 0</u>	(103/203)
3. Independent Claims	* <u>1</u>	minus *** <u>3</u>	= <u>0</u>	X <u>\$76/\$38</u>	= <u>\$ 0</u>	(102/202)
4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue appln) add \$240/\$120				+		(104/204)
5. Original due date: [ ] None; [XX] November 30, 1994						
6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached (Large/Small Entity: <u>1 month \$110/\$55</u> (code 115/215); <u>2 months \$370/\$185</u> (code 116/216); <u>3 months \$870/\$435</u> (code 117/217)):					<u>+370.00</u>	
7. If Terminal Disclaimer attached, add Rule 20(d) Official fee (\$110/\$55) -				+		(148/248)
8. If IDS attached requires Official Fee, add \$210 (code 126) or \$130 (code 122) if Rule 97(d) Petition						
9. Subtotal					<u>\$370.00</u>	
10. Enter any previous extension fee paid since above original due date (item 5) and subtract				-		
11. TOTAL FEE ATTACHED					<u>\$370.00</u>	
12. *If the entry in this space is less than entry in the next space, the "Present Extra" result is "0".						
13. **If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.						
14. ***If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.						

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown in the heading hereof, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeal separately.

1100 New York Avenue, N.W.  
Ninth Floor, East Tower  
Washington, D.C. 20005-3918  
Tel: (202) 861-3000

CUSHMAN DABRY &amp; CUSHMAN, L.L.P.

By Atty. Peter W. Gowdey

Sig: Reg. No. 25,872

Fax: (202) 822-0944

Tel: (202) 861-3078

NOTE: File this cover sheet in duplicate with PTO receipt (CDC-103A) and attachments CDC-120 10/94

2. **Requirement of Rule 62:** Rule 62 filings are to be used only when the issue fee has not been paid (except as noted below) in the above-identified prior application nor that application abandoned or its proceedings terminated. This Rule 62 filing will be considered by the PTO as an express abandonment of that prior application except when this Rule 62 filing is pursuant to Rule 313(b)(5), i.e., when the issue has been paid in the prior application and a petition filed to abandon that application to permit an IDS to be considered in this Rule 62 application. (Note: 37 CFR 1.60 (Rule 60) may be used for applications where the prior application is not to be abandoned.)

2a. ☐ The issue fee has been paid in the parent, but this Rule 62 Request follows a Rule 313(b)(5) petition, and per 1138 OG 40 waiver is respectively requested of that part of Rule 62 which prohibits use of the rules to file an FWC after payment of the issue fee.

3. ☒ Priority is claimed under 35 U.S.C. 119/365 based on filing in JAPAN of:  
(country)

Application No. Filing Date

Application No. Filing Date

(1) <u>3-149799</u>	<u>May 24, 1991</u>	(4) _____	_____
(2) <u>3-149800</u>	<u>May 24, 1991</u>	(5) _____	_____
(3) _____	_____	(6) _____	_____

a. ☐ \_\_\_\_\_ (No.) Certified copy/copies attached.

b. ☒ Certified copy/copies previously filed on July 17, 1992 in prior  
U.S. Application No. 0 7 / 887,013, filed on May 22, 1992.  
series code ↑ serial no.

c. ☐ Certified copy/copies filed during International stage of PCT/\_\_\_\_\_/\_\_\_\_\_.

d. ☐ Priority is also claimed from PCT/\_\_\_\_\_/\_\_\_\_\_ filed \_\_\_\_\_.

4. ☐ The prior application is assigned of record to TOYODA GOSEI CO., LTD.

by Assignment recorded July 17, 1992 Reel 6193 Frame 482.  
Date

5. ☐ Attached is an Assignment Cover Sheet.  
Please return the recorded Assignment to the undersigned.

6. ☒ The power of attorney in the prior application is to G. Lloyd Knight, Reg. No. 17698 et al and  
CUSHMAN, DARBY & CUSHMAN  
(Name, Reg. No.)  
the address of whom is in item 8.

7. ☐ Recognize as associate attorney \_\_\_\_\_  
(Name and Reg. No.; Address as in item 8 unless otherwise indicated)

8. **Address all future communications to Cushman, Darby & Cushman, Ninth Floor, 1100 New York Avenue, N.W., Washington, D.C. 20005-3918.**

9. Amend the specification by inserting before the first line (in place of any comparable insert previously requested in any prior application) the sentence: --This is a

☐ continuation-in-part (CIP) ☒ continuation ☐ division

of Application No. 0 7 / 887,013, filed on May 22, 1992, which was  
series code ↑ serial no.  
abandoned upon the filing hereof \_\_\_\_\_.

10. ☐ \_\_\_\_\_ (No.) Verified Statement(s) establishing "small entity" status under Rules 9 and 27  
a. ☐ filed in above prior application (and hence applicable hereto)  
b. ☐ attached.

11. **Requirement of Rule 62:** It is understood that secrecy under 35 U.S.C. 122 is hereby waived to the extent that if information or access is available to any one of the applications in the file wrapper of a 37 CFR 1.62 application, be it either this application or a prior application in the same file wrapper, the Patent and Trademark Office may provide similar information or access to all the other applications in the same file wrapper.

12. Petition to extend the life of the above prior application to at least the date hereof

NOTE: (One box) ☒ is being concurrently filed in that prior application (Use Form CDC-111).  
 (must be) ☐ was previously filed in that prior application (Check length of prior extension).  
 (X'd) ☐ is not necessary for copendency (double check before X'ing this box).

13. ☒ Please enter the amendment previously filed on OCTOBER 8, 1993 but unentered in the above prior application.

14. ☐ Attached: \_\_\_\_\_ sheet(s) per set of drawing of Fig(s) \_\_\_\_\_;  
☐ 1 set informal; ☐ formal of size: ☐ A4 ☐ 13" ☐ 14"

15. ☐ **PRELIMINARY AMENDMENT** to be entered before fee calculation (Do not make amendments here except cancellation of whole claims or multiple dependencies for purpose of reducing the filing fee per MPEP §§ 506 and 607; do not cancel all claims.):

16. ☐ Attached is a Rule 103(a) Petition to Suspend Action

17. Petition is hereby made requesting deletion as inventor(s) of the following who is/are not inventor(s) of the invention being claimed in this Rule 62 application:

1. \_\_\_\_\_ 2. \_\_\_\_\_  
 3. \_\_\_\_\_ 4. \_\_\_\_\_

18. ☐ This Rule 62 application is a continuation-in-part which discloses and claims additional matter and the amendments in attached Amendment are to be considered an integral part of the CIP ab initio.

a. ☐ New Declaration is attached.

b. ☐ This application is also filed under Rule 53(d) (without a Declaration) and hence filing fee is not enclosed.

#### FILING FEE

THE FOLLOWING FILING FEE IS BASED ON THE CLAIMS  
EXISTING IN THE PRIOR APPLICATION AS AMENDED AT 13 AND 15 ABOVE

see box 10 re:      Large/Small Entity

	<u>Fee Code</u>
19. Basic filing fee - - - - - Design Appln. - - \$290/\$145      \$ _____	(106/206)
20. Basic filing fee - - - - - <u>Not</u> Design Appln. - - \$710/\$355      \$ <u>710.00</u>	(101/201)
21. Total Effective Claims <u>8</u> minus 20 = * <u>0</u> x \$22/\$11 = + _____	(103/203)
22. Independent Claims <u>1</u> minus *3 = * <u>0</u> x \$74/\$37 = + _____	(102/202)
If answer is zero or less, enter "0"	
23. If <u>any proper</u> (Ignore improper) multiple dependent claim is present, - - - - - add \$230/\$115      + _____	(104/204)
24. <b>TOTAL FILING FEE =</b> \$ <u><u>710.00</u></u>	
25. If "assignment" box 5 above is X'd, - - - - - add recording fee (\$40.00)      + _____	(581)
26. If "petition" box 16 above is X'd, - - - - - add petition fee (\$130.00)      + _____	(122)
27. <b>FEE ATTACHED =</b> \$ <u><u>710.00</u></u>	

(carry forward to line 36)

28. ☐ Preliminary Amendment attached (to be entered after assigning Appln. No.).(Do NOT X box 28 or 29 for CIP Amendment. See box 18)29. ☐ The following PRELIMINARY AMENDMENT is to be entered after assigning Appln. No.:30. ☐ ATTACHED:

31.

**ADDITIONAL FEE CALCULATION FOR  
PRELIMINARY AMENDMENT  
PER BOXES 28/29**

Claims remaining after amendment	Highest number previously paid for	Present Extra					Additional Fee			
								<u>Large/Small Entity</u>	<u>Fee Code</u>	
Claims	_____	minus **	_____	=	* _____	x	\$22/\$11	=	\$ _____	(103/203)
Claims	_____	minus ***	_____	=	* _____	x	\$74/\$37	=	+ _____	(102/202)
enters proper multiple dependent claim(s) into this application for the										
----- add \$230/115 (per application)								+ _____	(104/204)	
ADDITIONAL FEE								\$ _____		
plus FEE from item 27 on page 3								+ 710.00	_____	
TOTAL FEE ATTACHED								\$ 710.00	_____	

38.\*If the entry in the first space is less than entry in the middle space, the "Present Extra" result is "0".

39.\*\*If the "Highest number previously paid for" (see item 21 above) is less than 20, write "20" in this space.

40.\*\*\*If the "Highest number previously paid for" (see item 22 above) is less than 3, write "3" in this space.

41. **CHARGE STATEMENT:** The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficient fee only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached.

**This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.**

CUSHMAN, DARBY &amp; CUSHMAN

1100 New York Avenue, N.W.

Ninth Floor

By Atty: G. Lloyd KnightReg. No. 17698

Washington, D.C. 20005-3918

Tel: (202) 861-3000

Fax: (202) 822-0944

Atty/Sec: GLK:cfc

Sig: 

Tel.: (202) 861-3090

NOTE: File this Request in duplicate with 2 postcard receipts (CDC-103) & attachments.